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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/601,998
	Filing Date	June 23, 2003
	First Named Inventor	Timothy J. Boyd
	Art Unit	3728
	Examiner Name	Shian T. Luong
Total Number of Pages in This Submission	Attorney Docket Number	8330-000244/DVA

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Receipt Postcard
Remarks		The Commissioner is hereby authorized to charge any additional fees that may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 08-0750. A duplicate copy of this sheet is enclosed.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm or Individual name	Harness, Dickey & Pierce, P.L.C.	Attorney Name Stanley M. Erjavac	Reg. No. 38,442
Signature			
Date	May 28, 2004		

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EV 406 075 365 US



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/601,998
Filing Date: June 23, 2003
Applicant: Timothy J. Boyd
Group Art Unit: 3728
Examiner: Shian T. Luong
Title: Closure And Container Combination For Reducing
Headspace Gas
Attorney Docket: 8330-000244/DVA

Director of the United States Patent
and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

**RESPONSE TO ELECTION/RESTRICTION
AND PRELIMINARY AMENDMENT**

Dear Sir:

In response to the Election/Restriction Notice mailed May 17, 2004,
Applicant requests the Examiner to consider the following amendments and remarks.

Amendments to the Claims begin on page 2 of this paper.

Remarks begin on page 6 of this paper.